



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

	TERRY CHEEK and LINDA CHEEK , paternal grandparents, were appointed as guardians on 12-1-08.	NEEDS/PROBLEMS/COMMENTS: Examiner's Notes: <ul style="list-style-type: none"> The Order of 3-18-14 that is referenced in the joint status report vacated the trial date pending resolution of the disqualification motion and relieved the parties from filing trial briefs, witness lists, and any other documents relating to the "hearing" (trial). Visitation orders are set forth in Minute Orders 1-31-13, 7-24-13, and 2-11-13. The attorneys were sent notice of this hearing on 4-25-14; however, as of 5-30-14, no status report has been filed pursuant to Local Rule 7.5 regarding either resetting the trial date or regarding the current visitation status.
	TANIA CHEEK , mother, filed a petition for termination of the guardianship, which was denied on 7-24-13.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 Order		
Aff. Posting Status Rpt		
UCCJEA Citation		
FTB Notice	<p>On 7-24-13, the Court referred the case to CPS to check on who is living in the home with the child and its safety. DSS Social Worker Keith Hodge was present in Court. Mr. Hodge was asked to submit a report to the Court and to the other parties. The Court ordered a marginal increase in visitation between the mother and the children and set a status hearing for 2-11-14.</p> <p>On 2-11-14, the matter was set for trial on 3-24-14; however, on 3-11-14, Karen Mathis, attorney for Guardians, filed a Statement of Disqualification of Judge Robert Oliver. The trial date was vacated pending resolution of the motion for disqualification. On 4-1-14, Madera Superior Court Judge Charles A. Wieland denied the challenge/disqualification. Judge Oliver thereafter filed an Answer and set a status hearing for 4-24-14 re: visitation for 4-24-14.</p> <p>On 4-23-14, Attorneys Mathes and Ruiz filed a joint status statement requesting to vacate the status hearing and proceed pursuant to the Court's order of 3-18-14; however, the document was not filed timely and further was not filed as an ex parte request for order; therefore appearance was required at the hearing on 4-24-14.</p> <p>On 4-24-14, there were no appearances. The Court set this hearing as a courtesy to counsel to choose a hearing date for evidentiary hearing to accommodate all parties' calendars. The Order to Appear was mailed to the attorneys on 4-25-14.</p>	

Reviewed by: skc

Reviewed on: 5-30-14

Updates:

Recommendation:

File 1A – Cheek

Probate Status Hearing Re: Failure to File First Account or Petition for Final Distribution
[Prob. C. 12200, et seq.]

DOD: 7/29/2010	FRANK SCOTT HINE was appointed Administrator with Full IAEA and bond set at \$118,260.00 on 1/5/2011.	NEEDS/PROBLEMS/COMMENTS: 1. Need First Account, Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.																								
	Minute order dated 6/15/2012 states the court orders bond set at \$45,000.00 and Limited IAEA authority.																									
	Bond of \$45,000.00 filed on 8/10/12.																									
Cont. from 062113, 080213, 091313, 111513, 31714, 040214, 042214	Letters issued 10/24/12.																									
Aff.Sub.Wit.	Inventory and Appraisal filed on 6/6/2012 showing the estate valued at \$134,550.00																									
Verified	Creditor's Claims filed:																									
Inventory	<table> <tr> <td>CitiBank</td> <td>-</td> <td>\$12,563.66</td> </tr> <tr> <td>DCM Services</td> <td>-</td> <td>\$ 260.80</td> </tr> <tr> <td>Frank Hine</td> <td>-</td> <td>\$ 4,743.41</td> </tr> <tr> <td>Donna Langley</td> <td>-</td> <td>\$17,625.99</td> </tr> <tr> <td>Wesley Langley</td> <td>-</td> <td>\$ 1,397.38</td> </tr> <tr> <td>FTB</td> <td>-</td> <td>\$ 2,660.09</td> </tr> <tr> <td>FTB</td> <td>-</td> <td>\$ 4,337.54</td> </tr> <tr> <td>Total</td> <td></td> <td>\$43,689.17</td> </tr> </table>		CitiBank	-	\$12,563.66	DCM Services	-	\$ 260.80	Frank Hine	-	\$ 4,743.41	Donna Langley	-	\$17,625.99	Wesley Langley	-	\$ 1,397.38	FTB	-	\$ 2,660.09	FTB	-	\$ 4,337.54	Total		\$43,689.17
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DCM Services	-		\$ 260.80																							
Frank Hine	-		\$ 4,743.41																							
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Wesley Langley	-		\$ 1,397.38																							
FTB	-		\$ 2,660.09																							
FTB	-		\$ 4,337.54																							
Total			\$43,689.17																							
PTC	Former Status Report filed 9/9/13 states Mr. Krbechek met with Mr. Hine since the last status conference. Mr. Hine will be present in court on 9/13/13 to provide updated information regarding the status of the estate. The beneficiary of the estate is the decedent's minor daughter, Noelle Hine. Ms. Hine will turn 18 before the end of this year. Mr. Hine has been making all the monthly payments on the house and the loan is current. Ms. Hine's future is uncertain and she is not ready to own a house. Thus, it is in the best interest of the estate that the house be sold. The personal representative will provide an update regarding the status of the property listing at the next hearing.																									
Not.Cred.																										
Notice of Hrg																										
Aff.Mail																										
Aff.Pub.																										
Sp.Ntc.																										
Pers.Serv.																										
Conf. Screen																										
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Aff. Posting																										
Status Rpt																										
UCCJEA																										
Citation																										
FTB Notice																										

Reviewed by: KT

Reviewed on: 5/30/14

Updates:

Recommendation:

File 3A - Hine

Former Status Report of Randolph Krbechek filed on 11/14/13 states he has met with Mr. Hine several times since the last hearing. Mr. Hine reports that he has completed most of the tasks to close the estate. The home is listed for sale and is in good, saleable condition. It is anticipated that they will be receiving offers in the foreseeable future. Sale of the real property must be confirmed by the court.

Order Confirming Sale of Real Property was signed on 4/22/14.

Atty Krbechek, Randolph (for Administrator Frank Scott Hine)

Probate Status Hearing Re: Filing Blocked Account Receipt

DOD: 7/29/2010	FRANK SCOTT HINE was appointed Administrator with Full IAEA and bond set at \$118,260.00 on 1/5/2011.	NEEDS/PROBLEMS/COMMENTS:
		2. Need Receipt for Blocked Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Minute order dated 6/15/2012 states the court orders bond set at \$45,000.00 and Limited IAEA authority.	
Aff.Sub.Wit.		
Verified		
Inventory	Bond of \$45,000.00 filed on 8/10/12.	
PTC		
Not.Cred.	Letters issued 10/24/12.	
Notice of Hrg	On 4/22/14 the court signed an Order Confirming Sale of Real Property. The Order required the proceeds from the sale be placed into a blocked account. This status hearing was set for the filing of the Receipt for Blocked Account.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: KT
Status Rpt		Reviewed on: 5/30/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 3B – Hine

3B

DOD: 03/29/2014		LORI MORGAN and LINDA SPAIDER , daughters, are petitioners and request appointment as Administrators without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		All heirs waive bond	<p><u>Note:</u> If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, 11/04/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Tuesday, 08/04/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	Full IAEA – o.k.	
<input checked="" type="checkbox"/>	Verified	Decedent died intestate	
<input type="checkbox"/>	Inventory	Residence: Fresno	
<input type="checkbox"/>	PTC	Publication: The Business Journal	
<input type="checkbox"/>	Not.Cred.	<u>Estimated value of the Estate:</u>	
<input checked="" type="checkbox"/>	Notice of Hrg	Personal property - \$5,000.00	
<input checked="" type="checkbox"/>	Aff.Mail	Real property - \$219,000.00	
<input checked="" type="checkbox"/>	Aff.Pub.	Total - \$224,000.00	
<input type="checkbox"/>	Sp.Ntc.	Probate Referee: Steven Diebert	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 05/30/2014
			Updates:
			Recommendation: Submitted
			File 5 – Henderson

DOD: 02/27/14		FRANCES GOMEZ and GWEN KIEWER, daughters, are Petitioners. 40 days since DOD. No other proceedings. I & A - \$130,000.00 Decedent died intestate. Petitioners request Court determination that decedent's 100% interest in real property located at 5725 E. Bernadine pass to them in equal shares pursuant to intestate succession.	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail w/		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: JF
			Reviewed on: 05/30/14
			Updates:
			Recommendation: SUBMITTED
			File 7 – Broadwater

10 Alize Nevaeh Lopez (GUARD/P)
Atty Ayala, Aurelia (pro per – guardian/objector)
Atty Ayala, Francisca (pro per – mother/Petitioner)

Case No. 12CEPR00636

Petition for Termination of Guardianship

Age: 6	FRANCISCA AYALA , mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	AURELIA AYALA , maternal grandmother, was appointed Guardian on 09/17/12.	1. Need <i>Notice of Hearing</i> .
Cont. from	Father: GABRIEL LOPEZ	2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandparents: NOT LISTED	
<input checked="" type="checkbox"/> Verified	Maternal grandfather: NOT LISTED	a. Aurelia Ayala (maternal grandmother/guardian) b. Gabriel Lopez (father) c. Maternal grandfather d. Paternal grandparents
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/> Petitioner states [Petitioner does not provide a reason that the guardianship should be terminated.]	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Objection to Termination of Guardianship filed 05/28/14 by Guardian, Aurelia Ayala, states: she does not believe it is in the best interest of Alize that the guardianship be terminated. She provides Alize a stable home and routine. The mother works long hours and does not have the time to provide Alize with the attention she needs.	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report	Court Investigator Dina Calvillo filed a report on 05/29/14.	
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: JF
<input type="checkbox"/> Status Rpt		Reviewed on: 05/30/14
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 10 – Lopez

Age: 3 months	<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Maternal grandfather (not listed) b. Yolanda Aviles (maternal grandmother) Note: proof of service filed 05/19/14 indicates that Ms. Aviles was served in care of Jim Lamber. Service in care of another is insufficient.
	IRMA MORA, paternal aunt by marriage, is Petitioner.		
	Father: SANTOS J. VILLA – deceased		
Cont. from	Mother: AMBER ROBINSON – Consent & Waiver of Notice filed 03/28/14		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	n/a		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
Petitioner states that the mother is currently in drug treatment and consents to the guardianship. Father is deceased.			
Court Investigator Charlotte Bien filed a report on 05/20/14.			
Reviewed by: JF			
Reviewed on: 05/30/14			
Updates:			
Recommendation:			
File 11 – Villa			